

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LILLIAN TOCCO,

Plaintiff,

v.

Case No. 05-73963

ARGENT MORTGAGE COMPANY,  
AMC MORTGAGE SERVICES, ACCESS  
MORTGAGE AND FINANCIAL, MIKE  
OLSEN, RYAN PHILLIPS, DEUTSCHE  
BANK NATIONAL TRUST COMPANY,  
and H. JAMES WHITE,

HONORABLE AVERN COHN

Defendants.

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**ORDER re: ADDITIONAL DOCUMENTATION**

This is a property case. Plaintiff Lillian Tocco (Tocco) claims that Defendants Argent Mortgage Company (Argent), AMC Mortgage Services (AMC), Access Mortgage and Financial (Access), Ryan Phillips (Phillips), H. James White (White), and Deutsche Bank National Trust Company (Deutsche) violated state and federal law in refinancing and foreclosing on a mortgage on Tocco's home.

The parties have filed four (4) motions:

- Argent, AMC, Phillips and Deutsche's joint Motion for Summary Judgment (Motion #1) (filed on December 2, 2005);
- Access' Motion for Summary Judgment (Motion #2) (filed on January 4, 2006);
- White's Motion for Summary Judgment (Motion #3) (filed on July 7, 2006);
- Tocco's Motion to File a Second Amended Complaint (Motion #4) (filed on July 28, 2006).

The Court held a hearing on the first two motions on May 1, 2006. At that hearing, the Court ordered the parties to supplement the record and gave them 60 days to conduct additional discovery and file additional papers. No additional papers related to these motions have been filed.

Subsequently, White filed Motion #3 and Tocco filed Motion #4. Tocco seeks to amend her complaint to add new counts against White only, thus Motion #4 does not implicate Motion #1 or Motion #2; Tocco's motion may or may not impact the disposition of White's motion. The Court has scheduled a hearing on the four motions for Wednesday, September 27, 2006.

The Court, however, must have the additional documents it requested at the May 1, 2006, hearing in order to properly consider all of the motions. The parties shall supplement the record by filing the necessary papers<sup>1</sup> by August 28, 2006.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: August 8, 2006

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, August 8, 2006, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160

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<sup>1</sup> The transcript from the hearing outlines everything the Court requires.